

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:08-CR-173
)	
JERRY LEE ROGERS, JR.)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion for a continuance of the trial [doc. 28]. For the reasons stated in the sealed affidavit accompanying the motion, counsel for the defendant avers that additional time is needed to prepare this case for trial. Counsel further avers that the defendant is in compliance with the conditions of his release and that the government is in agreement with the defendant's motion.

The court finds the defendant's motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny counsel for the defendant the necessary time to prepare for trial or other disposition of the charges. 18 U.S.C. § 3161(h)(8)(B)(iv). The defendant's motion requires a delay in the proceedings, therefore, all the time from the filing of the

defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

Therefore, it is hereby **ORDERED** that the defendant's motion is **GRANTED**, and this criminal case is **CONTINUED** to Wednesday, **January 20, 2010, at 9:00 a.m.**

ENTER:

s/ Leon Jordan
United States District Judge